

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

DEBORAH ANN FITZPATRICK COON,)
Petitioner,)
v.) CIVIL ACTION NO. 1:09cv404-TMH
CYNTHIA S. WHEELER-WHITE, et al.,) (WO)
Respondents.)

OPINION and ORDER

On September 4, 2009, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 14). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED that the Recommendation be and is hereby ADOPTED and the petition for habeas corpus relief be DENIED and DISMISSED without prejudice to afford the petitioner an opportunity to exhaust all available state court remedies.

Done this the 25th day of September 2009

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE